

1     that while the Bureau does have questions regarding control,  
2     we don't believe they necessarily rise to the level of  
3     substantial material and administratively it may be most  
4     effective for us to do our own investigation.

5             JUDGE SIPPEL: All right.

6             MR. PETTIT: Your Honor, may I raise one thing?  
7     You asked a series of questions regarding billing practices,  
8     insurance -- transfer of insurance. Would you like  
9     something further on either or those?

10            JUDGE SIPPEL: If I do, I'll let you know. I'll  
11     have this transcript. This is going to be -- when do we get  
12     this transcript? In ten days or thereabouts? The Reporter  
13     is telling me yes. Is anybody going to order an expedite on  
14     this by any chance? Were you thinking of doing that?

15            MR. BECKNER: I get the feeling from your question  
16     that you might like to have it sooner and I'll be glad to  
17     help you out.

18            JUDGE SIPPEL: Well, if you don't have any -- yes,  
19     if you wouldn't mind. I don't want to put the burden on  
20     anybody. But what I'd like to do is -- because what I'd  
21     like to do is I'd like to have the question of the  
22     confidentiality, I don't want to say briefed, but I'd like  
23     to have it addressed. And I would put that on the basis of  
24     a -- of a motion to be filed five business days after  
25     delivery of the -- of the transcript which -- which Time

1 Warner is going to order on an expedited basis. So that  
2 means you would get copies circulated to all the parties.

3 Is that permissible?

4 MR. BECKNER: I guess.

5 JUDGE SIPPEL: Well, I don't want to -- well,  
6 that's what I want to see done. I want you to get it as  
7 fast as you can, get copies for everybody and five days  
8 after -- after Freedom and Liberty actually receive the  
9 transcript, five business days, file a motion with me asking  
10 for if you feel that you need it -- maybe you won't, I don't  
11 need it -- if you feel that this needs to be treated as a  
12 confidential document, that is the transcript.

13 MS. KIDDOO: In the meantime, it will be treated  
14 as --

15 JUDGE SIPPEL: Oh, yes. Absolutely. Until I  
16 issue an order, it's going to be treated confidentially.  
17 Now, is there anybody that wants to respond to that? Do you  
18 want time to respond to that, Mr. Beckner? Or what are your  
19 feelings on this? Maybe you feel the same way they do. I  
20 don't know.

21 MR. BECKNER: Yes. No, I would like to respond to  
22 it, Your Honor, and will respond promptly. We have --

23 JUDGE SIPPEL: Three business days.

24 MR. BECKNER: Three business days, that will be  
25 fine.

1 JUDGE SIPPEL: Three business days after they file  
2 -- after Liberty files theirs.

3 MR. BECKNER: We're certainly not going to tell  
4 you how to write your opinion and what you can put in and  
5 what you can't put in. I mean, there are documents and I'd  
6 just assume -- this is the public's business and I really  
7 see that this ought to be a public matter.

8 JUDGE SIPPEL: Well, I -- anyway. What about the  
9 Bureau?

10 MR. WEBBER: Well, it's unlikely the Bureau will  
11 feel the need to respond to that request unless we believe  
12 that request is excessive in any way. I mean, the Bureau  
13 certainly is going to maintain that this is an open  
14 proceeding and material should be publicly available. And  
15 if we believe they cross that line in trying to keep things  
16 that should be in the public away from the public, we will  
17 comment. But unless we believe they're excessive, I don't  
18 see the need for us to respond --

19 JUDGE SIPPEL: Okay.

20 MR. WEBBER: -- unless you specifically request  
21 it.

22 JUDGE SIPPEL: No, I will just -- you've got the  
23 same amount of time. If you feel like you want to, you can  
24 respond. But it closes after the end of the third business  
25 day and then I'll address it as quickly as I can. I want to

1 say that I mean I have -- I have great respect and I can see  
2 the need for confidential treatment of information which is  
3 truly confidential in nature, that has, you know, a  
4 commercial sensitivity to it. But as I have said up front,  
5 this has now taken on in the context of kind of historical  
6 information that really doesn't -- you know, it's not trade  
7 secrets or things of that nature. But you know, I will  
8 await to be convinced otherwise. I'll be open-minded on it.  
9 And you're right. everything is treated confidentially until  
10 I issue an order otherwise. That's it then for today. It's  
11 -- I think -- for me anyway it's been a productive couple of  
12 hours and I appreciate all your attention. We're in recess  
13 until the next hearing. Thank you.

14 (Whereupon, at 12:20 p.m. on Thursday, June 13,  
15 1996, the hearing adjourned.)

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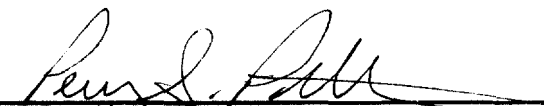
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**FCC DOCKET NO.:** 96-41  
**CASE TITLE:** Liberty Cable  
**HEARING DATE:** June 13, 1996  
**LOCATION:** Washington, D. C.

I hereby certify that the proceedings and evidence are contained fully and accurately on the tapes and notes reported by me at the hearing in the above case before the Federal Communications Commission.


Date: 6-17-96

  
Official Reporter  
Heritage Reporting Corporation  
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Perry S. Patterson

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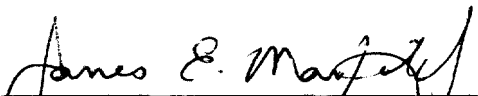
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